

# **GEORGETOWN, MA PARK & RECREATION COMMISSION AREAS BY-LAWS**

## **Part 1 INTERPRETATION**

See Appendix A.

## **Part 2 BY-LAW APPLICATION AND ADMINISTRATION**

2.0 By-law Applicability – These by-laws apply to all recreation areas, parks, beaches and ponds, rail trails, open spaces and any premises located therein which are under the control or management or joint management of the Parks and Recreation Commission (Park and Rec) in the town of Georgetown; together with the streets and approaches thereto and connecting the same.

2.1 By-law Administration – These by-laws are administered by the Park and Rec employees and Park and Rec Commission members and is enforced by the Georgetown Police Department.

2.2 Any violations of by-laws will result in a \$100.00 fine for the first violation and a \$200.00 fine for the second violation within a 12-month period.

## **Part 3 GENERAL PROHIBITED ACTIVITIES (VIOLATION OF ANY ACTIVITY WILL RESULT IN A \$100.00 FINE FOR THE FIRST VIOLATION AND A \$200.00 FINE FOR THE SECOND VIOLATION WITHIN A 12 MONTH PERIOD)**

3.0 Activities – Prohibited in any park or recreation area within the town, no person shall:

- A. Drive, ride or operate any vehicle upon a roadway in any direction other than the direction indicated on signs posted by the Park and Rec;
- B. Skateboarding or in-line skating in violation of posted signs and outside designated area;
- C. Drive, ride or operate any motor vehicle, e-scooter on a multi-use pathway or rail trail;
- D. Drive, ride or operate a bicycle, e-bike, or any type of motor vehicle on a hiking trail other than for reasons of performing maintenance or in case of an emergency;
- E. Operate a motor vehicle except on a roadway or in an authorized parking area;
- F. Park a motor vehicle in a place other than an authorized parking area;
- G. Engage in riotous, boisterous, violent, threatening, or illegal conduct or use profane or abusive language, including **(NO MISCONDUCT)**;
  - i) Making any verbal comments or physical gestures, about or toward anyone that could reasonably be considered to be offensive, derogatory or abusive;
  - ii) Making noise likely to disturb any inhabitant or interfere with the enjoyment of the park through the use of electronic equipment or any other means;
  - iii) Urinating or defecating except in a designated washroom facility.

- H. Engage in conduct that endangers the health and safety of himself, herself or others;
- I. Paint likeness, take pictures, record video or record audio of any persons without the consent of the person, or, where the person is a minor, without consent of a parent or legal guardian, in instances where a public complaint has been received regarding such activity;
- J. Engage in any sexual activity;
- K. Remain in a recreation area or park for the purpose of or appearance of loitering **(NO LOITERING)**;
- L. Consume, serve, sell or possess liquor without proper written approval by the Town of Georgetown **(NO ALCOHOL)**;
- M. Hold or take part in an unauthorized public meeting or gathering of 15 or more people;
- N. Play or practice golf or strike any golf ball by any means whatsoever in an area not designated for such activities;
- O. Enter or remain in a recreation area or park from dusk till dawn, unless the Park and Rec has authorized use of the park or recreation area within this time frame with personalized, written permission/permit **(NO TRESPASSING)**;
- P. Operate a motorized snow vehicle except for the purpose on surface maintenance or inspection of areas under the supervision of the Park and Rec;
- Q. Climb, break, peel bark from, cut, remove, burn, deface or otherwise damage any tree, shrub or bush, or pick, destroy or remove any flower, plant, roots, grass or rock;
- R. Cause or permit any animal under their control or ownership to damage any tree, shrub, bush, flower, plant or roots;
- S. Post any sign or poster on any tree, bush, or shrub;
- T. Remove, break, deface, or otherwise damage any monument, display, cage, pen, gate, seat, bench, picnic table, fence, posted sign, lock, barrier or any other equipment of the town located therein **(NO VANDALISM)**;
- U. Fail to deposit refuse in containers provided or if containers are not provided fail to remove refuse from park or recreation area **(NO LITTERING)**;
- V. Fail to remove any utensils, equipment or articles taken into an area designated for picnics;
- W. Cause or permit any animal under their control or ownership to swim in or enter into any swimming or wading pool or spray pad intended for human use only **(NO DOGS ALLOWED AT BEACH IN WATER OR SANDY AREA)**;
- X. Walk on grass in area where a sign is posted prohibiting such activity;
- Y. Fish in violation of Posted signs designating prohibited fishing areas, no fishing into the designated swim area **(FISH IN DESIGNATED AREAS ONLY)**;
- Z. Remove or injure the nest or egg of any bird or turtle;
- AA. Hinder or obstruct, or attempt to hinder or obstruct, any person exercising or performing a duty under this by-law;

- BB. Let off or discharge any water so that it runs waste or useless from or out of any reservoir, pond, river, or lake located in a park or recreation area; draw any water from Ponds owned and controlled by Park and Rec;
- CC. Lay or cause to be laid any pipe, or conduit to communicate with any pipe or main belonging to the waterworks connected with any park or recreation area or in any way obtain water without the consent of the Park and Rec;
- DD. Discharge or permit the discharge of any water from private properties, including pool water and water from a roof drainage system, onto, into or over any park or recreational area with the exception of natural over land flow from adjacent residential yards;
- EE. Enter any washroom or change room, or portion thereof, in any park or facility, set apart for the opposite sex provided that this shall not apply to children who are 12 years of age or younger and who are, at that time, accompanied by a parent, guardian, caregiver or caretaker;
- FF. Loiter in any washroom or change room, or engage in conduct that could reasonably be considered to be offensive (**NO LOITERING and NO MISCONDUCT**);
- GG. Encroach on municipally owned lands or erect fences on municipally owned lands without the written consent of the Town of Georgetown and any such object encroaching shall be removed by the abutting owner forthwith at their expense;
- HH. (36) Permit a dog under their ownership or control to run at large except in a designated leash free area (**NO DOGS ALLOWED IN PUBLIC PARKS OR RECREATIONAL AREAS**) (**NO DOGS ALLOWED ON TOWN RECREATIONAL FIELDS**);
- II. Fail to remove and dispose of excrement of a dog under their ownership or control (**Georgetown POOPER SCOOPER LAW**);
- JJ. Interfere with a picnic, organized gathering or special event authorized by a town use permit or Town approved rental agreement (**PERMIT REQUIRED FOR EXCLUSIVE USE**);
- KK. Move around any park or recreational area furniture from one area to another area to accommodate their picnic, organized gathering or special event (**DO NOT MOVE PICNIC TABLES**);
- LL. Drive, ride or operate a motorized boat inside restricted areas (**NO WAKE ZONE IN SWIMMING OR FISHING AREAS**);
- MM. Drive, ride or operate an e-bike unless the person is wearing a bicycle or motorcycle helmet (**HELMET REQUIRED**);
- NN. Smoking, vaping and electronic cigarettes in any park, beach, public recreational buildings, restrooms, public recreational fields or recreational areas (**NO SMOKING**) (**SMOKING ONLY PERMITTED IN DESIGNATED AREAS**);

3.1 Wheelchairs excepted despite any regulation in this by-law restricting the use of motor vehicles in parks, and for greater certainty only, a wheelchair or similar device (motorized or otherwise) used by an individual due to a disability may be used in all areas of parks including all multi-use pathways and the accessible portions of hiking trails.

**Part 4 ACTIVITIES - SUBJECT TO APPROVAL, (VIOLATION OF ACTIVITIES WITHOUT APPROVAL WILL RESULT IN \$100.00 FINE FOR THE FIRST VIOLATION AND A \$200.00 FINE FOR THE SECOND VIOLATION IN A 12 MONTH PERIOD)**

4.0 Activities Prohibited – Subject to approval UNLESS AUTHORIZED by the Park and Rec, no person shall engage in any of the following activities in a park or recreation area:

- A. Start or maintain a fire, except for the purposes of cooking food in designated areas with permanent grills provided (NO OPEN FIRES);
- B. Use a sports field for any game or practice;
- C. Erect a tent or shelter, or park a car, camper or trailer of any kind for overnight accommodation (NO CAMPING OR OVERNIGHT PARKING);
- D. Take part in or conduct any commercial enterprises;
- E. Hold or take part in a picnic, organized gathering or event of more than 10 persons;
- F. Hold or take part in a meeting or gathering that obstructs the free passage of vehicular traffic;
- G. Have exclusive use of any portion of a park or recreation area (PERMIT REQUIRED FOR EXCLUSIVE USE);
- H. Ride or lead a horse, pony, donkey, mule in an area not designated for such activity;
- I. Post any sign or poster on any pole, planter, building, fence, bench, picnic table, electrical transmission unit, lamp standard controlled by Park and Rec;
- J. Sell refreshments or other merchandise to the public (LICENSE REQUIRED TO SELL FOOD AND DRINKS);
- K. Operate any business, game, show or amusement for admission by the public;
- L. Solicit funds for any charities, organizations or individuals of any kind;
- M. Use a trained dog as a means of controlling waterfowl;
- N. Allow a dog or any other domesticated or wild vertebrate animal to enter a recreation area building, facility or change room, unless the animal is a trained service animal. (ONLY SERVICE ANIMALS ALLOWED IN BATHROOMS AND PUBLIC BUILDINGS);
- O. Disturb, wound, kill, or injure any vertebrate or invertebrate animal, whether domesticated or wild, including but not limited to, birds, snakes, dogs, cats; Fish can be harvested with the proper license or under the required age;
- P. Use a cellular phone, camera or any device capable of recording images in change rooms or washrooms;

**Part 5 SPECIAL PROHIBITIONS FOR ALL PUBLIC PARKS, RECREATIONAL FACILITIES AND BUILDINGS/BATHROOMS, BEACH, RECREATIONAL FIELDS, RAIL TRAIL AND COMMONS (ANY VIOLATION OF SPECIAL PROHIBITIONS WILL RESULT IN A \$100.00 FINE FOR THE FIRST VIOLATION AND A \$200.00 FINE FOR THE SECOND VIOLATION IN A 12 MONTH PERIOD)**

**ANY VIOLATION OF THE FOLLOWING BY-LAWS WILL BE APPLICABLE TO ALL PARKS, RECREATIONAL FACILITIES AND BUILDINGS/BATHROOMS, BEACH, RECREATIONAL FIELDS, RAIL TRAIL AND COMMONS – RESULTING IN A \$100.00 FINE.**

**American Legion Park and Pentucket Pond Beach**

550-1 OPEN TO THE PUBLIC; OPEN FROM DAWN TILL DUSK

\$100.00 fine for trespassing between dusk till dawn unless written permission/permit from Park and Rec/Town of Georgetown.

550-2 Beach sticker required if signage is posted; A beach sticker is required in order to park at the American Legion Park and to participate in beach programs offered by Park & Rec.

550-3 Beach Regulations.

- A. SWIMMING IS AT YOUR OWN RISK. If there are lifeguards on duty signage will be posted with hours of operation. Those who swim while a lifeguard is not on duty do so entirely at their own risk. (SWIM AT OWN RISK)
- B. Children age 12 and under are to be accompanied and supervised by an adult. Swimming is allowed only within the roped-in designated swimming area. (SWIMMING AGE 12 AND UNDER, SUPERVISED BY AN ADULT) (SWIM IN ROPED-IN AREAS)
- C. No boat launching or docking is allowed. No wake zone in swimming or fishing area. (NO BOAT LAUNCHING OR DOCKING) (NO WAKE ZONE)
- D. No rough play is allowed on the docks. (NO ROUGH PLAY ON DOCKS)
- E. No floats, balls or frisbees are allowed in the swimming area. Small swimming aids are allowed at the discretion of the lifeguard, (if present and on duty within posted hours).
- F. No eating on the beach or in the swimming / fishing area of water. Please remove all food scraps and trash and place in an appropriate trash receptacle.

550-4 Fishing.

- A. Fishing is permitted in designated areas on the beach/docks during the off-season (October to May) and a minimum of 20 feet away from the designated swimming area during the summer season.

550-5 Bicycles and other Vehicles.

- A. Bicycles are to be left in the rack near the parking lot areas and are not allowed on the beach or playground areas.
- B. No motorbikes, motorcycles or horses are allowed in the park except in the parking area.

#### 550-6 Playground Areas.

- A. Shoes must be worn when playing in the playground areas and on equipment. (SHOES REQUIRED)
- B. The playground areas are for children age 12 and under with their accompanying families. ADULT SUPERVISION IS REQUIRED. Playground equipment is designed for children age 12 and under. Any person age 12 and older is prohibited from using playground equipment. Loitering is strictly prohibited. (EQUIPMENT AGE 12 AND UNDER ONLY) (ADULT SUPERVISION REQUIRED)

#### 550-7 Animals.

- A. NO DOGS ARE ALLOWED in any park, beach, common, recreational facility, recreational building, bathrooms, recreational fields, rail trail, etc. UNLESS OTHERWISE POSTED WITH SIGNAGE FROM PARK & REC COMMISSION/Town of Georgetown. (NO DOGS ALLOWED)
- B. Do not feed the geese or ducks. (DO NOT FEED THE GEESE)

#### 550-8 Alcoholic Beverages Prohibited.

- A. Alcoholic beverages are prohibited in all park areas, beach, recreational buildings, bathrooms, recreational facilities, recreational fields and playgrounds except under special license and written permission from the Town of Georgetown. (NO ALCOHOL)

#### 550-9 Smoking Prohibited.

- A. Smoking, vaping and electronic cigarettes are prohibited in all park areas, beach, recreational buildings, bathrooms, recreational facilities, recreational fields and playgrounds. (NO SMOKING)

#### 550-10 Grills; Open Fires.

- A. Open fires and grills are prohibited unless written permission by Park and Rec. Grills are provided in designated areas. (NO OPEN FIRES)

#### 550-11 Vandalism, Loitering and Littering.

- A. All acts of vandalism (action involving deliberate destruction of or damage to public or private property), loitering (to remain in a park, recreational area, beach or building for the purpose of or appearance of loitering, stand or wait around idly or without apparent

purpose) littering (fail to deposit refuse in containers provided or if containers are not provided, fail to remove refuse from park, recreational area, beach or building) are prohibited and will result in \$100.00 fine.

### **Tennis Courts:**

Signage will be posted with hours of operation for tennis and pickleball. First come first serve unless written permission by Park and Rec for exclusive use.

### **Bandstand:**

- 1) Use of the bandstand and/or town common is by reservation only. Written applications for use of the bandstand are available from The Georgetown Park and Rec. Applicant will submit and sign written application containing a copy of the rules of usage. Applicant will be given a copy of the application if approved as receipt of their reservation.
- 2) Driving on and driving stakes into common area must be done under the direction of Park and Rec members to eliminate damage to sprinkler system and electrical system.
- 3) Alcoholic beverages are not allowed on the bandstand without written permission from town Selectmen.
- 4) The use of nails, staples, tape, brackets, or any attaching hardware to the bandstand structure is prohibited.
- 5) Applicant will be responsible for clean-up after usage. Failure to cleanup up area and leave bandstand as you found it will result in a charge to the applicant for any cleanup costs, and loss of any future bandstand usage.
- 6) Applicant will be responsible for any damage to the bandstand structure and/or surrounding town common area.
- 7) Food or beverage being served on the bandstand and/or town common may need a separate permit from the Board of Health.

### **East Main Street Recreational Area**

Recreational Area is open to the public. **(NO TRESPASSING)** Open dawn till dusk unless otherwise posted hours of operation.

### **Dog Run and Play Area:**

- 1) Dog run and play area closes and opens at posted set times.
- 2) No animals other than dogs may be brought into the fenced area.
- 3) All dogs must be leashed until safely inside the dog run and play area and returned to a leash prior to exiting.

- 4) Dog owners must remain in the fenced area while their dogs are using the dog run and play area. Owners must be in view of their dogs and have voice control at all times.
- 5) Children accompanying dog owners must be strictly supervised and at least 12 years old to be allowed inside. Spectators should remain outside the fenced area.
- 6) Aggressive dogs and female dogs in heat are not allowed. Owners must immediately leash and remove dogs from the dog run and play area and the first sign of aggressive behavior.
- 7) Please be courteous to others and remove any sick dogs from the dog run and play area.
- 8) Owners must dispose of waste properly in the designated on-site containers.
- 9) While small bite-sized training treats are permitted, food in bowls, long-lasting chews, or glass containers are not allowed.
- 10) No more than three (3) dogs per person are allowed on any single visit.
- 11) Puppies less than four (4) months old are not permitted.
- 12) Dogs must be licensed and vaccinated for rabies and DHLPP. Current license and rabies tags must be worn on the dog's collar at all times.
- 13) Owners are required to assist in the investigation of incidents of aggression or biting by providing appropriate identification and information to animal control officer, AND to other dog owners who are involved with the incident under investigation.
- 14) Owners are liable for any injury or damage caused by their dog and are fully responsible for their dogs' actions.

**Off-Leash Dog Areas – Regulations:**

- 1) The park hours of operation will be posted by the town of Georgetown.
- 2) Owners or custodians are responsible for all actions of their dogs.
- 3) Dog handlers must be at least 16 years of age or older.
- 4) Children under the age of 10 years old are not permitted in fenced area for safety reasons.
- 5) The owner or custodian of the dog must remain in the dog area with the dog.
- 6) All dogs must be legally licensed and have a current rabies vaccination.
- 7) All dogs must be leashed upon entering and leaving the off-leash dog areas.
- 8) Dogs in heat or younger than 4 months are not allowed in the park.
- 9) Dogs must be removed at first sign of aggression to other dogs or humans.
- 10) No pronged training collars or choke chains allowed.
- 11) Dog feces must be cleaned up by the dog owner or custodian.
- 12) Holes dug by dogs must be filled by the dog owner or custodian.
- 13) No glass containers or food of any kind are permitted in the park.
- 14) Violators are subject to removal and/or exclusion from the dog park.



**Skate Boarding Area:**

- 1) All skaters must wear a helmet, elbow pads and knee pads at all times while skating.
- 2) Public entry into the skate park is prohibited at all times that the skate park gates are locked.
- 3) Skating is prohibited at all times that it is raining or when the skating area is wet or contains a large amount of debris.
- 4) The skate park is for skating use only, including skateboarding, roller skating, in-line skating and rollerblading and non-motorized scooters only. Bicycling, the use of motorized devices of any type and all other uses are prohibited.
- 5) Only skaters are permitted within the skating area.
- 6) No food, drink, glass or breakable objects are allowed within the skating area.
- 7) Only authorized personnel are allowed to clean the skating area using cleaning solvents or solutions.
- 8) No drugs, alcohol, tobacco products, weapons or pets are allowed within the skate park.
- 9) No portion of the skate park may be modified, altered or added to in any manner without written permission of the City's Parks, Recreation and Community Services Director.
- 10) Skating is only permitted within the skate area and is prohibited in all other areas of the recreational area, including its adjacent sidewalks, streets and parking lots.
- 11) Competitive, demonstration and rental events are prohibited, unless written permission is obtained from the Park and Rec.
- 12) All parties are responsible for removing their personal property from the premises upon leaving the skate park.

**Environmentally Significant Area (ESA) or Natural Recreational Area (posted):**

Environmentally Significant Areas (ESA) - Prohibitions The following special prohibitions shall apply to all persons entering into and using a area designated as an Environmentally Significant Area or as a Natural Recreational area:

- 1) No person shall cut or remove any plant, aquatic vegetation, wood, turf, grass, soil, rock, sand or gravel without the written authority of the Park and Rec.
- 2) No person shall carry out any scientific investigation or study without the written authority of the Park and Rec who may impose specific conditions which shall be adhered to;
- 3) No person shall swim in, bath in, or pollute in any way the waters of any pond, stream or river;
- 4) No person shall camp, set up a tent, park a trailer or hold a picnic, unless the area is specifically designated for such purpose;
- 5) No person shall deposit, dump or leave waste and/or refuse of any kind except in designated containers.

- 6) No person shall operate a vehicle, bicycle, power-assisted bicycle, or motorized snow vehicle within the boundaries of an ESA or a natural recreational area unless signs are posted specifically allowing such activity;
- 7) No person shall ride, lead or drive any animal within the boundaries of an ESA or a natural recreational area, except for a dog or a horse as shown on trails approved on a town approved map.
- 8) Despite subsection 4.1(1), no person shall start or maintain a fire in an ESA or a natural park for any purpose except with the written authority of the Managing Director who may impose specific conditions which shall be adhered to;
- 9) No person shall hike, run, jog, or cross country ski other than on a designated trail on a certified town map.

### **West Street Recreational Area**

**Recreational Area is not open to the public. Exclusive use of fields and parking lot requires written permission/permit from Park and Rec. (NO TRESPASSING)**

- 1) Fields and parking lot are open from dawn till dusk unless otherwise posted hours of operation with written permission from Park and Rec.
- 2) Georgetown Conservation Commission restrictions apply for the Blanding's Turtles. From May 29 – June 30 there will be NO field activity between the hours of 6:30 pm to 9:00am.
- 3) No dogs are allowed on playing fields. All dogs must be kept on a leash in the parking lot areas only. Owners must pick up after their dogs. (NO DOGS) (POOPER SCOOPER LAW)

### **Little's Hill Recreational Area**

**Recreational Area is not open to the public. (NO TRESPASSING) Exclusive use of the field and parking lot area requires written permission/permit from Park and Rec.**

- 1) Field and parking lot area is open from dawn till dusk unless otherwise posted hours of operation with written permission from Park and Rec.
- 2) No dogs are allowed on playing fields. All dogs must be on a leash in parking lot area only. Owners must pick up after their dogs. (NO DOGS) (POOPER SCOOPER LAW)

### **Central Street Parking Area**

- 1) Area is open from dawn to dusk unless otherwise posted from Park and Rec.
- 2) Vehicles left after 1 hour after dusk will be subject to be towed at owner's expense.
- 3) Parking area is for the use of the rail trail and is not for commuter parking. (NO TRESPASSING)

### **Borders to Boston Rail Trail**

- 1) The trail is open for recreational use from dawn to dusk unless otherwise posted from Park and Rec. Commuters with appropriate lights may use the trail at their own risk outside these hours. **(NO TRESPASSING)**
- 2) Be courteous of other path users.
- 3) Stop at all stop signs.
- 4) All users keep right, except to pass.
- 5) Give a clear audible signal before passing and pass only when it is safe to do so.
- 6) Travel at a reasonable speed in a consistent and predictable manner.
- 7) Wear protective headgear. This is required by law for children 16 years and younger, and recommended for all wheeled users.
- 8) Pets on a short leash are welcome. Remove all waste.
- 9) Respect private property adjacent to the trail. Carry in carry out policy for all refuse.

### **Memorial Parks: Harry Murch, Civil War**

- 1) The Parks are open from dawn to dusk unless otherwise posted from Park and Rec. Neither active or passive recreational use is allowed. **(NO TRESPASSING)**

### **Memorial Park Common Area**

- 1) The common area is open for passive recreational use from dawn to dusk unless otherwise posted from Park and Rec. **(NO TRESPASSING)**

## **Part 6 FEES**

6.0 Use without payment – Prohibited. No person shall use a park or recreation area without first having paid the applicable fee, if any, or having made the appropriate arrangements for the scheduled payment of fees according to the practices established by the Park and Rec and as established in the applicable fees and charges by-law. Written permission/permit required for exclusive use.

## **Part 7 ENFORCEMENT**

7.0 Any Police Officer, Municipal Law Enforcement Officer, or person under contract with the Town to enforce this by-law may enforce the provisions of this by-law.

7.1 Where any person contravenes any of the provisions of this by-law, the permission of such person to remain in that park, recreational facility, rail trail area, or facility is revoked.

7.2 A police officer, Municipal Law Enforcement Officer, person under contract with the Town to enforce this by-law, or the Park and Rec may order a person believed to be in contravention of this by-law to:

7.3 Cease the activity that is in contravention of the by-law; and/or leave the park recreational facility, rail trail area, or facility.

- A. If a Police Officer, or person under contract with the Town to enforce this by-law is satisfied that this by-law has been contravened, the officer may make an order, known as an Order to Discontinue Activity, requiring the person who contravened the by-law, or who caused or permitted the contravention, to discontinue the contravention.
- B. An Order to Discontinue Activity shall set out: (i) the address of the property or name of the park on which the contravention occurred; (ii) the date of the contravention; (iii) the reasonable particulars of the contravention of the by-law; and (iv) the date by which there must be compliance with the order.
- C. The Order to Discontinue Activity may be served personally on the person to whom it is directed or by regular mail to the last known address of that person, in which case it shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address.
- D. No person shall contravene an Order to Discontinue Activity.
- E. Repetition of offense – The court in which the conviction has been entered and any other court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed by the court on the person convicted.

## **Part 8 PENALTY**

8.0 Contravention of By-Law - Any person contravening any provision of this by-law is guilty of an offense and on conviction is liable to such penalty shall be fined a \$100.00 fine for the first violation and a \$200.00 fine for the second violation within a 12-month period.

## **Part 9 MISCELLANEOUS**

9.0 By-law reference on signs - deemed to conform on a sign posted by the town in a park or recreation area, references shall be deemed to be references to this by-law.

9.1 Short Title- This by-law may be referred to as The Parks and Recreation Area By-Law.

9.2 Validity It is declared that notwithstanding that any Part or Parts of this by-law, or sections thereof, may be found by any court of law to be bad or illegal or beyond the power of the Council to enact, such Part or Parts or sections thereof shall be deemed to be severable and that all other Parts or sections of this by-law are separate and independent therefrom and enacted as such.

9.3 Coming into Force - This by-law comes into force and effect on the date it is passed.

## **APPENDIX A**

**Authorized Parking Area** - "Authorized Parking Area" means an area of a park or recreation area established for the parking of motor vehicles. The area may also have additional posted regulations with respect to the use of the area.

**Bicycle** - "Bicycle" includes a unicycle and a tricycle but does not include a motor assisted cycle of any type unless used by handicapped person.

**Change Rooms** – "Change Room" means any permanent structure designed to accommodate persons for the purpose of changing their clothing. This room may or may not include washroom facilities.

**Town** - "Town" means The Corporation of Georgetown Massachusetts.

**Control** - "Control" includes "the care and custody of".

**Council** - "Council" means the Council of The Corporation of the Town of Georgetown.

**Designated** - "Designated" means an area defined or constructed for a specific use which may include additional posted conditions.

**Environmentally Significant Area** - "Environmentally Significant Area" see Conservation Commission designation.

**Park and Rec Director** – "Park and Rec Director" means the Managing Director, Parks and Recreation, his or her designate and any Town employee acting under his or her direction.

**Hiking Trail** - "Hiking Trail" means that part of a park that has been marked, posted or shown on town maps for the purpose of hiking, cross country skiing or running by the public, is not the Rail Trail or pavement or concrete. The use of in-line skates, skateboards, bicycles, power-assisted bicycles, motor vehicles and motorized snow vehicles is not prohibited. Hiking trails may or may not be accessible to motorized wheel chairs depending on topographic restrictions.

**Liquor** – "Liquor" shall have the same meaning as defined in Mass general laws

**Motor Vehicle** - "Motor Vehicle" has the meaning attributed to it in Mass Registry of Motor Vehicles.

**Multi-use Pathway** - "Multi-use Pathway" means that part of a park that has been improved with a hard surface and intended for a variety of uses including pedestrians, skating, Skiing, dog sleds, and vehicles, excluding motor vehicles, horses and horse drawn conveyances of any sort and motorized snow vehicles. These Pathway will be show on town approve trail map.

**Natural Recreational Area** - "Natural Recreational Area" means an area which is preserved in its natural or near natural state or an area created to remain thereafter in a natural state as open space and available for use. For the purposes of this definition, natural shall mean established

by nature or a selection process favoring survival of indigenous organisms best adapted to the environment.

**Park** - "Park" means land and land covered as a park by town bylaws under the control or management or joint management of the town, that is or hereafter may be established, dedicated, set apart, or made available for use as public open space.

**Power-assisted Bicycle** – “Power-assisted Bicycle” is commonly referred to as an electric bicycle or e-bike, and for greater certainty, has affixed to it pedals that are operable, and for greater certainty an e-bike and an e-scooter are defined as follows:

“e-bike” shall mean a “power-assisted bicycle” that has the appearance of a bicycle; and

“e-scooter” shall mean a “power-assisted bicycle” that has the appearance of a scooter”

**Refuse** - "Refuse" includes but is not limited to paper wrappers, food containers, discarded food, disposable eating utensils, newspapers, drink containers of all kinds, disposable diapers, broken glass, grass clippings and inert fill of any kind.

**Park and Rec** – “Park and Rec” means the Park and Recreation Commission. This Commission is under the Control of the Town of Georgetown thru appointment by the Georgetown Selectmen.

**Recreation Area** - "Recreation Area" means an area or building or combination of both, under the control of the town which is maintained and/or supervised by employees of the Town and includes any golf course, tennis court, arena, skating rink, swimming pool, wading pool/spray pad, play area, community center, skateboard facility, sports field, dog run and play area, or a building or portion of a building which is owned, leased or used by the Town, including a school and school grounds, for the purpose of offering recreation to the town residents.

**Roadway** - "Roadway" means that part of a park or recreation area that is improved, designed or ordinarily used by vehicles and motor vehicles to access such facilities.

**Run at Large** – “Run at Large” means to be found in any place other than the dog run and play area or premises of the owner of the dog and not under the physical control of any person by means of a leash held by the said person.

**Sexual Activity** – “Sexual Activity” means any physical contact of a sexual nature involving genitalia, buttocks, or female breasts by one or more individuals.

**Trained Service Animal** – “Trained Service Animal” includes a guide dog or other trained service animal identifiable by a harness or document used principally to assist persons with a visual, hearing or other impediment.

**Unauthorized Public Meeting** – “Unauthorized Public Meeting (or Gathering)” means a picnic, organized gathering or event of more than fifteen persons, where the authorization of the Park and Rec has not been obtained.

**Vehicle** – "Vehicle" includes a motor vehicle and any vehicle drawn, propelled or driven by any a gas, electric, diesel, engine and is register for use on roads. This excludes a child's wagon, a baby carriage, a child’s stroller, a wheelchair or similar device (motorized or otherwise) used by an individual due to a disability, or a motorized snow vehicle or an ATV.

**Washroom** – “Washroom” means any permanent or temporary structure or portion of a structure that contains toilets, or urinals and infant change area which is owned, leased or operated by the town or is situated on town property.